



Document Processing Desk (AMEND)
EPA - Office of Pesticide Programs (7504P)
One Potomac Yard, Room S-4900
2777 S. Crystal Drive
Arlington, VA 22202

Attn: Venus Eagle,
Product Manager Team 1
Registration Division, Insecticide-Rodenticide

Subject: Fast Track Label Amendment – response to Bradbury Letter
- **Merit 2 Greenhouse and Nursery Insecticide (EPA Reg. No. 432-1369)**

September 27, 2013

Dear Ms. Eagle:

Bayer CropScience
P. O. Box 12014
2 TW Alexander Drive
Research Triangle Park
NC 27709
Tel: 919 549-2000

This application for a Fast Track Label Amendment for Merit 2 Greenhouse and Nursery Insecticide (Reg. No. 432-1369) is being submitted in response to the Agency letter (Bradbury to Registrants of Nitroguanidine Neonicotinoid Products) dated August 15, 2013.

Please refer to Attachment 1 for a detailed listing of the agreed upon changes made to the label from prior consultation with you.

The following documents are enclosed in support of this application:

1. Completed EPA Form 8570-1
2. Electronic copy of the amended product label plus a copy with tracked revisions.

It should be noted that an electronic copy of the enclosed label was also previously sent to you for approval via e-mail.

Please do not hesitate to call (919-549-2428) or e-mail me (norma.pangilinan@bayer.com), if you have any questions.

Sincerely,

BAYER ENVIRONMENTAL SCIENCE
A DIVISION OF BAYER CROPSCIENCE

A handwritten signature in black ink, appearing to read "Norma C. Pangilinan".

NORMA C. PANGILINAN, Ph.D,
Registrations Manager



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☒ Amendment
☐ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 432-1369	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Merit 2 Greenhouse and Nursery Insecticide	PM# 1	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science 2 T. W. Alexander Drive Research Triangle Park, NC 27709 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input checked="" type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Revise label in response to the Agency letter (Bradbury to Registrants of Nitroguanidine Neonicotinoid Products) dated August 15, 2013. Please refer to cover letter for list of detailed revisions to label.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	
				<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other _____			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name NORMA C. PANGILINAN		Title Manager, Registrations		Telephone No. (Include Area Code) 919-549-2428	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.					6. Date Application Received (Stamped)
2. Signature 		3. Title Manager, Registrations			
4. Typed Name Norma C. Pangilinan, Ph.D.		5. Date September 27, 2013			

Attachment 1

- Added: Group/4A/ Insecticide to the top of the label
- Added: Protection of Pollinators language. Per Bradbury letter: (a) added Pollinator Protection Box; (b) added pollinator protection language under “Directions for Use”; and (c) replaced “visiting” with “foraging”.
- Changed: “vegetable plants” to “vegetable transplants” in certain places on the label
- Added: “non-bearing” to the first sentence
- Deleted: interior plant scrapes from label
- Changed: “CROPS” to “Site” or “Use Patterns”
- Changed: “Remarks” to “Instructions”
- Environmental Hazard
 - Changed: “Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.” To “Do not apply this product or allow it to drift to blooming crops or weeds if bees are foraging the treatment area.”
- APPLICATION TO ORNAMENTALS AND VEGETABLE TRANSPLANTS
 - Resistance:
 - Added: “Merit 2 Greenhouse and Nursery Insecticide contains a Group 4A insecticide. Insect biotypes with acquired or inherent resistance to Group 4A insecticides may eventually dominate the insect population if Group 4A insecticides are used repeatedly as the predominant method of control for targeted species. The active ingredient in Merit 2 Greenhouse and Nursery Insecticide is a member of the neonicotinoid chemical class. Insect pests resistant to other chemical classes have not shown cross-resistance to Merit 2 Greenhouse and Nursery Insecticide. Contact your Cooperative extension specialist, certified crop advisor and/or product manufacturer for additional insect resistance management recommendations. Also, for more information on Insect Resistance Management (IRM), visit the Insecticide Resistance Action Committee (IRAC) on the web at <http://www.irac-online.org/>. For resistance management purposes, do not make a foliar application with any chloronicotinyl insecticide following a Merit 2 Greenhouse and Nursery Insecticide soil application in the same crop.”
 - Changed: “applications should be made” sentence to “make applications prior” in the “for this reason sentence.
 - Changed: “ornamentals, broadcast applications cannot exceed a total of 1.6 pints (0.4 of active ingredient) per acre per year.” To “for outdoor uses, do not apply more than...” sentence
 - Changed: “the use of this product should conform” to “conform use of this product to resistance management” in the “As with any insecticide”
 - Added “use” and “areas sprayed” to the “if concentrate...” sentence
- APPLICATION TO ORNAMENTALS AND VEGETABLE TRANSPLANTS
 - Deleted: “Applications should not be made when grassy areas are waterlogged or the soil is saturated with water.”
 - Added: “Do not apply Merit 2 Greenhouse and Nursery Insecticide to soils which are water logged or saturated with water.”

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- Deleted: “ Application cannot exceed a total of 1.6 pints (0.4 lb of active ingredient) per acre per year.
- Directions for Use
 - Added: Bee language “for food crops and commercially grown ornamentals not under contract for pollination services but are attractive to pollinators”
 - Added: “See individual crops for specific pollinator protection application restrictions. If none exist under the specific crop, for outdoor foliar applications, follow these application directions for crops that are commercially grown ornamentals that are attractive to pollinators.” Statement
 - Moved: Storage and disposal box
 - Changed: “RECOMMENDED APPLICATIONS” heading to “DIRECTIONS FOR FOLIAR APPLICATION TO GRASSY AREAS OF NURSERIES”
 - Deleted: the “Note” before the “for optimum control...” paragraph
 - Changed: “For optimum control, irrigation rainfall should occur within 24 hours after application to move the active ingredient through the thatch. Do not apply more than 1.6 pt (0.4 lb active ingredient) per year. Avoid mowing grass area until after sufficient irrigation or rainfall has occurred so that uniformity of application will not be affected.” To “For optimum control, irrigate if rainfall does not occur within 24 hours after application to move the active ingredient through the thatch. Mow grass area only after sufficient irrigation or rainfall has occurred so that uniformity of application will not be affected. “
 - Added: Restriction row with more restrictions
 - “Do not apply more than 1.6pt (0.4 lb of active ingredient) per acre per year.”
 - “Do now allow this product to contact plants in bloom while bees are foraging the treatment area.”
 - “Do not graze treated areas or use clippings for treated areas for feed or forage.”
 - “Avoid runoff or puddling of irrigation water following application.”
 - “Do not apply Merit 2 Greenhouse and Nursery Insecticide to soils which are water logged or saturated, which will not allow penetration into the root zone of the plants.
 - Changed: “RECOMMENDED APPLICATIONS FOR USE ON OR IN ORNAMENTALS” to “DIRECTIONS FOR APPLICATIONS TO ORNAMENTALS AND VEGETABLE TRANSPLANTS “
 - Added: “For foliar and systemic insect control in and around field grown nurseries, outdoor containerized ornamentals, ornamentals grown in greenhouses and ornamentals grown in flats, benches or beds, for vegetable transplants and resale.”
 - Deleted: “For foliar and systemic insect control in and around field-grown nursery and containers stock, indoor and outdoor ornamentals (including both greenhouse and interior plantscapes and ornamentals grown in flats benches, or beds.”

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- Deleted: For resistance management purposes, a MERIT foliar application following a soil application in the same crop is not recommended.
- Added: “For resistance management purposes, do not make a foliar application with Merit 2 Greenhouse and Nursery Insecticide following a Merit 2 Greenhouse and Nursery Insecticide soil application in the same crop”
- Changed: “including non-bearing fruit and nut” to “non-bearing fruit and nut trees that will not bear fruit or nuts for one year after application.”
- Deleted: “Refer to REMARKS section for use directions specific for "Flowers and Ground Covers" concerning additional use directions. Sections
- Added: “Non-bearing fruit and nut trees are those trees that will not bear fruit or nuts for one year after application.”
- Added: “Restriction for outdoor use” row with two restrictions
- “Follow application restrictions FOR COMMERCIALLY GROWN ORNAMENTALS NOT UNDER CONTRACT FOR POLLINATION SERVICES BUT ARE ATTRACTIVE TO POLLINATORS indicated on page [x] to protect bees and other insect pollinators.”
- “Do not apply more than 1.6 pt (0.4 lb of active ingredient) per acre per year.”
- Changed: “RECOMMENDED APPLICATIONS FOR NURSERY, GREENHOUSE, AND INTERIORESCAPE PLANTS” to “DIRECTIONS FOR SOIL DRENCH AND SOIL INJECTION FOR TREES AND SHRUBS GROWN IN NURSERY AND GREENHOUSE”
 - Merged “shrubs” box with this box
 - Changed: “Flowers and Groundcover Pre-Planting for flowers and groundcovers” subheading to “Ground Treatment Pre-Planting for flowers and groundcover”
 - Changed: “Apply as a broadcast treatment and incorporate into the soil before planting or apply after plants are established. If application is made to established plants, optimum control will be attained if area is irrigated thoroughly after application.” Paragraph to “Apply as a broadcast treatment and incorporate into the soil before planting.”
 - Added: Restrictions
 - For outdoor ornamentals, do not apply more than 1.6 pt (0.4 lb of active ingredient) per acre per year.
 - Do not apply Merit 2 Greenhouse and Nursery Insecticide to soils which are water logged or saturated, which will not allow penetration into the root zone of the plants.
 - For use only on non-bearing fruit and nut trees. Non-bearing fruit and nut trees are those trees that

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will not bear fruit or nuts for one year after application.

- Changed: “MERIT 2 GREENHOUSE AND NURSERY INSECTICIDE EBB & FLOOD APPLICATIONS” heading to “DIRECTIONS FOR EBB AND FLOOD APPLICATIONS IN GREENHOUSE AND NURSERIES”
 - Added: “Do not allow leachate run out for first 10 days after application, in order to retain the product and facilitate full plant uptake of the active ingredient.” To paragraph above table.
 - Added: RESTRICTIONS FOR OUTDOOR USE:
 - Follow application restrictions FOR COMMERCIALLY GROWN ORNAMENTALS NOT UNDER CONTRACT FOR POLLINATION SERVICES BUT ARE ATTRACTIVE TO POLLINATORS indicated on page [x] to protect bees and other insect pollinators.
 - Do not apply more than 1.6 pt (0.4 lb of active ingredient) per acre per year.
 - Do not apply Merit 2 Greenhouse and Nursery Insecticide to soils which are water logged or saturated, which will not allow penetration into the root zone of the plants.
- Changed: “RECOMMENDED DRENCH AND IRRIGATION APPLICATIONS” to “DIRECTIONS FOR DRENCH AND IRRIGATION APPLICATIONS”
 - Added: “Restriction for outdoor Use” row with bee icon and one restrictions
 - “Follow application restrictions FOR COMMERCIALLY GROWN ORNAMENTALS NOT UNDER CONTRACT FOR POLLINATION SERVICES BUT ARE ATTRACTIVE TO POLLINATORS indicated on page [x] to protect bees and other insect pollinators.”
 - “Do not apply more than 1.6 pt (0.4 lb of active ingredient) per acre per year.”
 - “Do not apply Merit 2 Greenhouse and Nursery Insecticide to soils which are water logged or saturated, which will not allow penetration into the root zone of the plants.”
- Changed: “RECOMMENDED DRENCH AND IRRIGATION APPLICATIONS” to “DIRECTIONS FOR DRENCH AND IRRIGATION APPLICATIONS FOR LARGE PLANTS”
 - Deleted: “Interiorscapes”
 - Moved: “Use 1.7 fl oz (50 ml)...” to the instructions column
 - Added: “Do not allow leachate run out for the first 10 days after application, in order to retain the product and facilitate full plant uptake of the active ingredient.” To the “instructions” column
 - Added: “Restriction for outdoor ornamentals” row with two restrictions
 - “Follow application restrictions FOR COMMERCIALLY GROWN ORNAMENTALS NOT UNDER CONTRACT FOR POLLINATION SERVICES BUT ARE ATTRACTIVE TO POLLINATORS indicated on page [x] to protect bees and other insect pollinators.”

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- “Do not apply more than 1.6 pt (0.4 lb of active ingredient) per acre per year.”
- Moved White grub larvae row to a separate table
 - Added: heading “ DIRECTIONS FOR SOIL APPLICATION TO FIELD GROWN NURSERY STOCK”
 - Added: title columns: Pests, Use Patten, Dosage, Instruction
 - Added: “to the ground” under dosage column
 - Deleted: “Vegetation in the area to be treated should be mowed to a height of 3 inches or less prior to application. Mowing to the lowest possible height will insure greater consistency of control.” Paragraph
 - Deleted: “For grub control in areas of turf, apply as a broadcast application using 1.35 to 1.7 fl oz (40 to 50 mL) per 3,000 sq ft” paragraph
 - Added: Restrictions
 - “Do not apply more than 1.6 pt (0.4 lb of active ingredient) per acre per year.”
 - “Do not apply Merit 2 Greenhouse and Nursery Insecticide to soils which are water logged or saturated, which will not allow penetration into the root zone of the plants.”
- Deleted: “Restrictions” section before storage and disposal. In an effort to improve clarity and ease of use of the label, Restrictions previously listed towards the end of the label and other appropriate pollinator restrictions were placed under specific use patterns.